

SECOND AMENDED

**APPLICATION FOR PERMIT
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA**

Date of filing in State Engineer's Office JUL 17 1990
 Returned to applicant for correction AUG 10 1990
 Corrected application filed OCT 04 1990
 Map filed OCT 04 1990

The applicant TEXACO REFINING & MARKETING, INC. ATTN: MR. ROGER JOHNSON
10 UNIVERSAL CITY PLAZA, of UNIVERSAL CITY,
Street and No. or P.O. Box No. City or Town
CALIFORNIA 91608-7812, hereby make application for permission to appropriate the public
State and Zip Code No.
 waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a
 copartnership or association, give names of members.) DECEMBER 28, 1989 DELAWARE U.S.A.

1. The source of the proposed appropriation is SHALLOW, UNCONFINED AQUIFER. (underground)
Name of stream, lake, spring, underground or other source
2. The amount of water applied for is 0.056 MAXIMUM second-feet
One second-foot equals 448.83 gals. per min.
 (a) If stored in reservoir give number of acre-feet N/A
3. The water to be used for GROUNDWATER REMEDIATION
Irrigation, power, mining, manufacturing, domestic, or other use. Must limit to one use.
4. If use is for:
 - (a) Irrigation, state number of acres to be irrigated N/A
 - (b) Stockwater, state number and kinds of animals to be watered N/A
 - (c) Other use (describe fully under "No. 12. Remarks") SEE NO. 12
 - (d) Power:
 - (1) Horsepower developed N/A
 - (2) Point of return of water to stream N/A
5. The water is to be diverted from its source at the following point LOT 2 (NW¼ NE¼) SECTION 4, T21S,
Describe as being within a 40-acre subdivision of public
R61E MDB&M FROM WHICH THE W¼ CORNER OF SECTION 4 T.21S. R.61 MDB&M BEARS S.
survey, and by course and distance to a section corner. If on unsurveyed land, it should be so stated.
54° 11' 12" W A DISTANCE OF 4326 FEET.
6. Place of use PROJECT SITE IS LOCATED AT 1509 W. CHARLESTON BLVD., IN THE NORTHERN
Describe by legal subdivision. If on unsurveyed land, it should be so stated.
PORTION OF THE NW¼ OF THE NE¼ OF SECTION 4, TOWNSHIP 21 SOUTH, RANGE 61
EAST OF THE MOUNT DIABLO BASE AND MERIDIAN.
7. Use will begin about JANUARY 1 and end about DECEMBER 31, of each year.
Month and Day Month and Day
8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) SEE ATTACHED (REFER TO FILE FOLDER)
State manner in which water is to be diverted, i.e. diversion structure, ditches and flumes, drilled well with pump and motor, etc.
9. Estimated cost of works +\$50,000

10. Estimated time required to construct works APPROXIMATELY ONE WEEK
 If well completed, describe works.

11. Estimated time required to complete the application of water to beneficial use N/A

12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

A SINGLE RECOVERY WELL IS TO BE INSTALLED FOR THE PURPOSE OF INITIATING REMEDIAL ACTIVITIES. THE GROUNDWATER IS TO BE PUMPED TO AN AIR STRIPPER, AND THE TREATED EFFLUENT WILL THEN BE DISCHARGED TO THE NDOT STORM WATER SYSTEM.

By s/Roger Johnson
TO UNIVERSAL CITY PLAZA
UNIVERSAL CITY, CALIFORNIA 91608

Compared bc/ am am/se

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to existing rights on the source. It is understood that the amount of water herein granted is only a temporary allowance for pollution control as mandated by orders issued by the Nevada Division of Environmental Protection and subsequent correspondence with said agency. The right will cease to exist upon termination of clean up activity as determined by the Nevada Division of Environmental Protection. A totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and records of this measurement shall be submitted on an annual basis. It is also understood that this right must allow for a reasonable lowering of the static water level of permittee's well due to other ground water development in the area. The well shall be equipped with a 2-inch opening for measuring depth to water. If the well is flowing, a valve must be installed and maintained to prevent waste. The State retains the right to regulate the use of water granted herein at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.056 cubic feet per second, but not to exceed 13.21 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before March 11, 1993

Proof of completion of work shall be filed on or before April 11, 1993

Application of water to beneficial use shall be made on or before March 11, 1996

Proof of the application of water to beneficial use shall be filed on or before April 11, 1996

Map in support of proof of beneficial use shall be filed on or before N/A

Completion of work filed _____ IN TESTIMONY WHEREOF, I R. MICHAEL TURNIPSEED, P.E.

Proof of beneficial use filed _____ State Engineer of Nevada, have hereunto set my hand and the seal of my

office, this 11th day of March,

A.D. 19 91

Cultural map filed _____

Certificate No. _____ Issued _____

[Signature]
 State Engineer

JUL 26 1993

CANCELLED BECAUSE OF FAILURE
OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT

[Signature] STATE ENGINEER